

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

ANTHONY DALE RUSSELL, AIS #112117, )  
 )  
Plaintiff, )  
 )  
v. ) CIVIL CASE NO. 1:20-cv-637-ECM  
 )  
SGT. BLUE, *et al.*, )  
 )  
Defendants. )

**MEMORANDUM OPINION and ORDER**

On August 14, 2023, the Magistrate Judge entered a Recommendation (doc. 32) to which no timely objections have been filed. Upon an independent review of the file and upon consideration of the Recommendation, it is

ORDERED as follows:

1. The Recommendation of the Magistrate Judge (doc. 32) is ADOPTED;
2. The Defendants' Answer and Special Report (doc. 10) is construed as a motion for summary judgment, and the motion for summary judgment (doc. 10) is GRANTED as follows:

- a. Judgment is entered against the Plaintiff and in favor of the Defendants on the federal claims;
  - b. The Court declines to exercise supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367, and the state law claims are DISMISSED without prejudice;
3. This case is DISMISSED.

A separate Final Judgment will be entered.

DONE this 13th day of September, 2023.

/s/ Emily C. Marks  
EMILY C. MARKS  
CHIEF UNITED STATES DISTRICT JUDGE